

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**UNITED STATES OF AMERICA,
STATES OF CALIFORNIA,
COLORADO, CONNECTICUT,
DELAWARE, FLORIDA, GEORGIA,
HAWAII, ILLINOIS, INDIANA, IOWA,
LOUISIANA, MICHIGAN,
MINNESOTA, MONTANA, NEVADA,
NEW JERSEY, NEW MEXICO, NEW
YORK, NORTH CAROLINA,
OKLAHOMA, RHODE ISLAND,
TENNESSEE, TEXAS, VERMONT,
AND WASHINGTON; THE
COMMONWEALTHS OF
MASSACHUSETTS AND VIRGINIA;
AND THE DISTRICT OF COLUMBIA,**

ex rel. ZACHARY SILBERSHER,

Plaintiffs,

v.

**JANSSEN BIOTECH, INC., JANSSEN
ONCOLOGY, INC., JANSSEN
RESEARCH & DEVELOPMENT, LLC,
JOHNSON & JOHNSON, and BTG
INTERNATIONAL,**

Defendants.

Civ. No. 19-12107 (KM) (ESK)

ORDER

THIS MATTER having come before the Court on the motion to dismiss the second amended complaint of defendants Johnson & Johnson, Janssen Biotech, Inc., Janssen Oncology, Inc., Janssen Research & Development, LLC, BTG International Ltd. (DE 106) for failure to state a claim, pursuant to Fed. R. Civ P. 12(b)(6) and Rule 9(b); and the Court having considered the submissions of the parties (DE 63, 128, 146, 147, 154); for the reasons stated in the accompanying Opinion, and good cause appearing therefor;

IT IS this 17th day of December, 2021,

ORDERED that the motion to dismiss (DE 128) is **GRANTED** as to the claims against BTG International Ltd. The motion is otherwise **DENIED**.

/s/ Kevin McNulty

Hon. Kevin McNulty
United States District Judge